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PATENT & TRADEMARK

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Thomas A. Saksa

Examiner: Amy R. Cohen

Serial No.: 09/940,363

Group Art Unit: 2859

Filed: August 27, 2001

Docket No.: 10011180-1

Title: MEASUREMENT AND MARKING DEVICE

6/13  
J. Steptoe  
11-20-02

**AMENDMENT AND RESPONSE**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir/Madam:

This Amendment and Response is in reply to the Non-Final Office Action mailed on August 27, 2002. Please amend the above-identified patent application as follows:

**IN THE SPECIFICATION**

Please replace the paragraph at page 5, lines 14-22 with the following rewritten paragraph:

Positional sensing assembly 30 senses a position of measurement and marking device 10 and, more specifically, a position of housing 20 relative to object 12 as housing 20 is moved along surface 14 of object 12. As such, positional sensing assembly 30 measures a dimension of object 12 as housing 20 is moved relative to object 12. Positional sensing assembly 30 measures a dimension of object 12 by, for example, comparing a first position of housing 20 relative to object 12 with a second position of housing 20 relative to object 12. Example embodiments of a positional sensing assembly are described below with reference to Figures 3 and 4.

**IN THE CLAIMS**

Please cancel claims 10, 11, 17, and 26 without prejudice.

Please amend claims 1, 12, 14, 22, and 23 as follows:

1. (Amended) A measurement and marking device, comprising:  
a housing;

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